IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WP(C).No. 33573 of 2007(V)

PETITIONER:

SMT. T.P.SUSANTHA,
STAMP DEPOT OFFICER, MANANTHAVADY, WAYANAD.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY, FINANCE DEPARTMENT, SECRETARIAT, TRIVANDRUM.**

2. **THE DIRECTOR OF TREASURIES, TRIVANDRUM.**

3. **THE DISTRICT TREASURY OFFICER, WAYANAD.**

4. **THE CONVENER, DEPARTMENTAL PROMOTION COMMITTEE (HIGHER), FINANCE DEPARTMENT, SECRETARIAT, TRIVANDRUM.**

BY GOVERNMENT PLEADER SRI.N.MANOJ KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C)No. 33573 of 2007

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Dated this the 29th day of November 2007

JUDGMENT

The petitioner is working as a Stamp Depot Officer in Mananthavady, Wayanad. She is due to retire after another 17 months. She has approached this Court essentially seeking a direction to the respondents to finalise the disciplinary proceedings initiated against her as evidenced by Ext.P3 and P3(a) within the shortest time possible.

2. Learned special government Pleader Mr.Manoj Kumar, on instructions, submits that the charges levelled against the petitioner are quite serious. One of the charges is that the petitioner had authenticated 12 bogus sales tax refund bills amounting to Rs.66,52,206/=. A vigilance case involving offences under the Prevention of Corruption Act as also an offence under the Penal Code is also contemplated. It may not be possible to complete the disciplinary proceedings within the shortest time as sought for by the petitioner. Taking note of the allegations levelled against the petitioner which is contained in Ext.P3 memo of charges, I do not think it necessary to issue any direction to the respondents to

complete the disciplinary proceedings within a time frame.

3. The petitioner also seeks a direction to the respondents to place her case before the DPC in the matter of promotion to the post of Assistant District Treasury Officer. If the disciplinary proceedings are pending against the petitioner, it is not a reason to exclude the petitioner from consideration. It is therefore made clear that pendency of disciplinary proceedings by itself should not stand in the way of the petitioner's name being placed before the DPC as and when it is convened. Obviously, sealed cover procedure will be adopted in this regard.

Subject to this direction, the writ petition is disposed of.

V.GIRI, JUDGE

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